THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.10907 of 1997

Date:14.11.2006

Between:

M.S.Subrahmanyam

PETITIONER

AND

M.S.N.Charities and others.

---------RESPONDENTS

ORDER:

This writ petition is filed seeking a Mandamus to direct the respondents to pay the salaries and allowances to the petitioner in the post of B.Ed. Assistant in Mathematics in the third respondent-school from May 1995 onwards.

It is the case of the petitioner that he was appointed as B.Ed. Assistant in Mathematics in the third respondent-school on 04.05.1995. Since then he has been continuously working in that post. While so, one Ch.Subba Rao, who was appointed as Telugu faculty, questioned the appointment of the petitioner. The authorities concerned, after duly verifying the facts from the records, found that the selection of the petitioner was in order and the same was made through a duly constituted selection committee. Aggrieved by the same, the said Subba Rao filed W.P.No.77736 of 1995 and sought for suspension of the impugned order. This Court passed an interim order, dated 08.08.1995, in W.P.M.P.No.21689 of 1995, suspending the appointment of the petitioner, but later it was vacated on 27.12.1995. The said writ petition was also dismissed by this Court today. Now the grievance of the petitioner is that he was not paid salaries regularly.

The learned Government Pleader, on instructions, submits that in fact the post held by the petitioner was approved with effect from 20.11.1998. Therefore, he has been put on regular scale from that date. Since the post held by the petitioner was approved in 1998, he

may claim the salary with effect from 27.12.1995 till 20.11.1998 from the Management. It is an admitted fact that the petitioner was appointed against a vacancy, which was admitted to grant-in-aid.

In view of the above, the writ petition is disposed of, directing the petitioner to make a detailed representation in this regard before the management or any other competent authority seeking the salaries from the date of his first appointment. On filing such representation and if the same is in order, the management shall recommend for the salaries to be paid with effect from his date of first appointment and the same shall be considered by the official respondents as per law and pass appropriate orders. This exercise shall be completed within a period of six months from the date of representation made by the petitioner. There shall be no order as to costs.

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14.11.2006

kdl